

**United States Bankruptcy Court
Central District of California
Los Angeles
Judge Neil Bason, Presiding
Courtroom 1545 Calendar**

Thursday, April 22, 2021

Hearing Room 1545

8:00 AM

2:00-000000

Chapter

#0.00 ZoomGov Instructions for all matters on today's calendar:

Meeting ID: 160 716 3804

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Please connect at least 5 minutes before the start of your hearing, and wait with your microphone muted until your matter is called. You do not need to call Chambers for advance approval. ZoomGov appearances are free

Docket 0

Tentative Ruling:

- NONE LISTED -

**United States Bankruptcy Court
Central District of California
Los Angeles
Judge Neil Bason, Presiding
Courtroom 1545 Calendar**

Thursday, April 22, 2021

Hearing Room 1545

8:30 AM

2:18-10776 Alfredo Medina and Jen G Morales

Chapter 13

#1.00 Hrg re: Motion under Local Bankruptcy Rule 3015-1 (n)
and (w) to modify plan or suspend plan payments

Docket 53

Tentative Ruling:

Appearances required, absent either (1) an agreement with the Chapter 13 Trustee's office to further continue this matter or (2) withdrawal of the motion by Debtor. There is no tentative ruling, but the parties should be prepared to address the issues raised by the Chapter 13 Trustee (dkt. 55).

If appearances are not required at the start of this tentative ruling but you wish to dispute the tentative ruling, or for further explanation of "appearances required/are not required," please see Judge Bason's Procedures (posted at www.cacb.uscourts.gov) then search for "tentative rulings." If appearances are required, and you fail to appear without adequately resolving this matter by consent, then you may waive your right to be heard on matters that are appropriate for disposition at this hearing. Pursuant to Judge Bason's COVID-19 procedures, **all appearances are via ZoomGov**. For ZoomGov instructions for all matters on calendar, please see the tentative ruling for the first matter on today's calendar (*i.e.*, page 1 of the posted tentative rulings). Unless otherwise stated, appearances via CourtCall are no longer permitted.

Party Information

Debtor(s):

Alfredo Medina

Represented By
Julie J Villalobos

Joint Debtor(s):

Jen G Morales

Represented By
Julie J Villalobos

Trustee(s):

Kathy A Dockery (TR)

Pro Se

**United States Bankruptcy Court
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CONT... Alfredo Medina and Jen G Morales

Chapter 13

**United States Bankruptcy Court
Central District of California
Los Angeles
Judge Neil Bason, Presiding
Courtroom 1545 Calendar**

Thursday, April 22, 2021

Hearing Room 1545

8:30 AM

2:19-21677 Jan Michael Foster

Chapter 13

#2.00 Hrg re: Motion under Local Bankruptcy Rule 3015-1 (n)
and (w) to modify plan or suspend plan payments

Docket 61

Tentative Ruling:

Appearances required, absent either (1) an agreement with the Chapter 13 Trustee's office to further continue this matter or (2) withdrawal of the motion by Debtor. There is no tentative ruling, but the parties should be prepared to address the issues raised by the Chapter 13 Trustee (dkt. 63).

If appearances are not required at the start of this tentative ruling but you wish to dispute the tentative ruling, or for further explanation of "appearances required/are not required," please see Judge Bason's Procedures (posted at www.cacb.uscourts.gov) then search for "tentative rulings." If appearances are required, and you fail to appear without adequately resolving this matter by consent, then you may waive your right to be heard on matters that are appropriate for disposition at this hearing. Pursuant to Judge Bason's COVID-19 procedures, **all appearances are via ZoomGov**. For ZoomGov instructions for all matters on calendar, please see the tentative ruling for the first matter on today's calendar (*i.e.*, page 1 of the posted tentative rulings). Unless otherwise stated, appearances via CourtCall are no longer permitted.

Party Information

Debtor(s):

Jan Michael Foster

Represented By
Stephen L Burton

Trustee(s):

Kathy A Dockery (TR)

Pro Se

**United States Bankruptcy Court
Central District of California
Los Angeles
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Thursday, April 22, 2021

Hearing Room 1545

8:30 AM

2:18-24137 Toni Leigh Rose

Chapter 13

#3.00 Hrg re: Motion for Suggestion of Death; for Substitution as the Representative for or Successor to the Deceased Debtor; and for Continued Administration of the Case

Docket 77

Tentative Ruling:

Appearances are not required.
Grant.

Proposed order: Movant is directed to lodge a proposed order via LOU within 7 days after the hearing date. See LBR 9021-1(b)(1)(B).

If appearances are not required at the start of this tentative ruling but you wish to dispute the tentative ruling, or for further explanation of "appearances required/are not required," please see Judge Bason's Procedures (posted at www.cacb.uscourts.gov) then search for "tentative rulings." If appearances are required, and you fail to appear without adequately resolving this matter by consent, then you may waive your right to be heard on matters that are appropriate for disposition at this hearing. Pursuant to Judge Bason's COVID-19 procedures, **all appearances are via ZoomGov**. For ZoomGov instructions for all matters on calendar, please see the tentative ruling for the first matter on today's calendar (*i.e.*, page 1 of the posted tentative rulings). Unless otherwise stated, appearances via CourtCall are no longer permitted.

Party Information

Debtor(s):

Toni Leigh Rose

Represented By
Steven A Alpert

Trustee(s):

Kathy A Dockery (TR)

Pro Se

**United States Bankruptcy Court
Central District of California
Los Angeles
Judge Neil Bason, Presiding
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Thursday, April 22, 2021

Hearing Room 1545

8:30 AM

2:21-10039 Dwayne Herbert Baudy

Chapter 13

#4.00 Hrg re: Motion for Debtor's Objection to the Proof of Claims #5-1
Filed by Nationstar Mortgage LLC d/b/a Mr. Cooper

Docket 31

Tentative Ruling:

Appearances required.

Grant in part and deny in part as set forth below.

Proposed order: Movant is directed to lodge a proposed order via LOU within 7 days after the hearing date, and attach a copy of this tentative ruling, thereby incorporating it as this Court's final ruling, subject to any changes ordered at the hearing. See LBR 9021-1(b)(1)(B).

At the hearing, counsel for Debtor is directed to address the following issues:

(1) No copy of claim

Debtor failed to attach a copy of the claim, as required by LBR 3007-1(c)(2). Why did Debtor's counsel fail to comply with that rule?

(2) Dollar amounts do not match

Debtor's objection includes a copy of a check for \$1,340.00 (dkt. 31, Ex.1, at PDF p.18). But the proof of claim (Claim No. 5-1) asserts that as of the petition date the arrears were \$2,108.60. How can Debtor assert that \$1,340.00 cures \$2,108.60?

(3) Illegible endorsements

Whatever endorsements might or might not appear on the back of Debtor's copy of the check are illegible, so it is unclear whether the check cleared and whether claimant has received the funds at issue (and is holding those funds in a suspense account). Why did Debtor's counsel not provide a legible copy of the back of the check?

(4) Fees

The tentative ruling is that Debtor's counsel should not charge any fees for appearing at this hearing, because such appearance would not be necessary if counsel had prepared the claim objection in a manner that did not violate the LBR and otherwise addressed the foregoing deficiencies.

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CONT...

Dwayne Herbert Baudy

Chapter 13

(5) Sustain in part; overrule in part

Notwithstanding the foregoing, this Court notes the following:

(a) Request for \$0.00 arrears

Debtor's claim objection requests an order deeming the proof of claim amended "to reflect the 'Cure Default Amount' claim as \$0.00" (dkt.31, p.3:13-14).

(b) No objection by claimant

No response has been filed by the claimant, so apparently it does not object to having its arrears treated as \$0.00 (or, at least, any objection would not be worth the cost of the attorney fees).

(c) Ability to amend the claim later

It is typical in this district for the holders of secured claims to amend their proofs of claim after confirmation of any plan. Therefore, the tentative ruling is that there will be no prejudice if the arrears are determined to be \$0.00 for present purposes (*i.e.*, so that Debtor can obtain confirmation of his proposed chapter 13 plan), without prejudice to the claimant later amending its proof of claim, after it has determined what deficiency might exist, to add any such deficiency to its proof of claim (*e.g.*, so that any shortfall is paid at the end of the term).

(6) Conclusion

To the foregoing extent, the tentative ruling is to sustain the claim objection - *i.e.*, the arrears will be treated as \$0.00 for present purposes. To the extent that Debtor seeks any additional relief, the tentative ruling is to overrule the claim objection.

If appearances are not required at the start of this tentative ruling but you wish to dispute the tentative ruling, or for further explanation of "appearances required/are not required," please see Judge Bason's Procedures (posted at www.cacb.uscourts.gov) then search for "tentative rulings." If appearances are required, and you fail to appear without adequately resolving this matter by consent, then you may waive your right to be heard on matters that are appropriate for disposition at this hearing. Pursuant to Judge Bason's COVID-19 procedures, **all appearances are via ZoomGov**. For ZoomGov instructions for all matters on calendar, please see the tentative ruling for the first matter on today's calendar (*i.e.*, page 1 of the posted tentative rulings). Unless otherwise stated, appearances via CourtCall are no longer permitted.

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CONT... Dwayne Herbert Baudy

Chapter 13

Party Information

Debtor(s):

Dwayne Herbert Baudy

Represented By
Kahlil J McAlpin

Trustee(s):

Kathy A Dockery (TR)

Pro Se

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8:30 AM

2:21-10599 John Ejike Nibo

Chapter 13

#5.00 Hrg re: East West Bank's Motion To Dismiss This Case

Docket 25

Tentative Ruling:

Appearances are not required.

Grant the motion and dismiss this case with a permanent bar against being a debtor in any future bankruptcy case, absent an order of this Court lifting that bar (also known as a dismissal "with prejudice") for the reasons set forth in the motion papers (dkt. 25, 26) and Debtor's lack of opposition.

Proposed order: Movant is directed to lodge a proposed order via LOU within 7 days after the hearing date, and attach a copy of this tentative ruling, thereby incorporating it as this Court's final ruling, subject to any changes ordered at the hearing. See LBR 9021-1(b) (1)(B).

Further analysis

Without limiting the foregoing reasons, dismissal with a bar is warranted by Debtor's failure properly to list Movant's lien in his bankruptcy schedules and proposed chapter 13 plan, his failure properly to list his debt to the People of the State of California in the same documents, his inability to fund any plan (in chapter 11 or 13) due to negative income, and his ineligibility for chapter 13. Those things establish that Debtor has misrepresented facts, unfairly manipulated the Bankruptcy Code, has otherwise filed his petition and plan in an inequitable manner, is attempting to use this bankruptcy case to defeat state court litigation, and has exhibited egregious behavior.

The foregoing relief is warranted pursuant to 11 U.S.C. §§ 105(a), 109(e) & (g)(1), 349(a), 1307(c) and, alternatively, pursuant to this court's inherent powers to manage its own docket. See *In re Glover*, 537 Fed.Appx. 741 (9th Cir. 2013) (affirming dismissal with a five-year bar to refiling under 11 U.S.C. § 105(a); *In re Leavitt*, 171 F.3d 1219 (9th Cir. 1999) (affirming dismissal with prejudice based on finding of bad faith, considering whether debtor misrepresented facts, unfairly manipulated Code, or otherwise filed his petition or plan in inequitable manner; debtor's history of filings and dismissals; whether the debtor intended to defeat state court litigation; and

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CONT... John Ejike Nibo

Chapter 13

whether egregious behavior is present).

If appearances are not required at the start of this tentative ruling but you wish to dispute the tentative ruling, or for further explanation of "appearances required/are not required," please see Judge Bason's Procedures (posted at www.cacb.uscourts.gov) then search for "tentative rulings." If appearances are required, and you fail to appear without adequately resolving this matter by consent, then you may waive your right to be heard on matters that are appropriate for disposition at this hearing. Pursuant to Judge Bason's COVID-19 procedures, **all appearances are via ZoomGov**. For ZoomGov instructions for all matters on calendar, please see the tentative ruling for the first matter on today's calendar (*i.e.*, page 1 of the posted tentative rulings). Unless otherwise stated, appearances via CourtCall are no longer permitted.

Party Information

Debtor(s):

John Ejike Nibo

Represented By
Stephen L Burton

Trustee(s):

Kathy A Dockery (TR)

Pro Se

**United States Bankruptcy Court
Central District of California
Los Angeles
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2:17-23156 Robin Kashmire Roane

Chapter 13

#6.00 Hrg re: Application for Compensation for Supplemental Fees for Barry E Borowitz

Docket 47

Tentative Ruling:

Grant, for the reasons set forth in counsel's declaration (dkt. 52) in response to this Court's order setting this matter for hearing (dkt. 49). Appearances are not required.

Proposed order: Movant is directed to lodge a proposed order via LOU within 7 days after the hearing date. See LBR 9021-1(b)(1) (B).

If appearances are not required at the start of this tentative ruling but you wish to dispute the tentative ruling, or for further explanation of "appearances required/are not required," please see Judge Bason's Procedures (posted at www.cacb.uscourts.gov) then search for "tentative rulings." If appearances are required, and you fail to appear without adequately resolving this matter by consent, then you may waive your right to be heard on matters that are appropriate for disposition at this hearing. Pursuant to Judge Bason's COVID-19 procedures, **all appearances are via ZoomGov**. For ZoomGov instructions for all matters on calendar, please see the tentative ruling for the first matter on today's calendar (*i.e.*, page 1 of the posted tentative rulings). Unless otherwise stated, appearances via CourtCall are no longer permitted.

Party Information

Debtor(s):

Robin Kashmire Roane

Represented By
Barry E Borowitz

Trustee(s):

Kathy A Dockery (TR)

Pro Se

**United States Bankruptcy Court
Central District of California
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Hearing Room 1545

8:30 AM

2:17-19762 Robert E Read

Chapter 13

#7.00 Cont'd hrg re: Motion to Dismiss Case for Failure
to Pay Post-Confirmation Taxes
fr. 3/18/21

Docket 110

Tentative Ruling:

Tentative Ruling for 4/22/21:

Appearances required.

Based on a review of Debtor's opposition papers (dkt. 114), this Court was persuaded to continue the 3/18/21 hearing to this date to allow Debtor a brief opportunity to explore potential options to address the outstanding postpetition taxes. There is no tentative ruling. Debtor should be prepared to update this Court on the status of his investigations and whether he has a viable option to address the outstanding postpetition taxes.

If appearances are not required at the start of this tentative ruling but you wish to dispute the tentative ruling, or for further explanation of "appearances required/are not required," please see Judge Bason's Procedures (posted at www.cacb.uscourts.gov) then search for "tentative rulings." If appearances are required, and you fail to appear without adequately resolving this matter by consent, then you may waive your right to be heard on matters that are appropriate for disposition at this hearing. Pursuant to Judge Bason's COVID-19 procedures, **all appearances are via ZoomGov**. For ZoomGov instructions for all matters on calendar, please see the tentative ruling for the first matter on today's calendar (*i.e.*, page 1 of the posted tentative rulings). Unless otherwise stated, appearances via CourtCall are no longer permitted.

Tentative Ruling for 3/18/21:

Continue to 4/22/21 at 8:30 a.m. to allow Debtor a brief opportunity to explore potential options to address the outstanding postpetition taxes. That continuance should not be misconstrued as any authorization to continue non-payment of taxes. Appearances are not required on 3/18/21.

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CONT... Robert E Read

Chapter 13

Key documents reviewed (in addition to motion papers): Debtor's opposition (dkt. 114), reply of United States on behalf of Internal Revenue Service (dkt. 115).

If appearances are not required at the start of this tentative ruling but you wish to dispute the tentative ruling, or for further explanation of "appearances required/are not required," please see Judge Bason's Procedures (posted at www.cacb.uscourts.gov) then search for "tentative rulings." If appearances are required, and you fail to appear without adequately resolving this matter by consent, then you may waive your right to be heard on matters that are appropriate for disposition at this hearing. Pursuant to Judge Bason's COVID-19 procedures, **all appearances are via ZoomGov**. For ZoomGov instructions for all matters on calendar, please see the tentative ruling for the first matter on today's calendar (*i.e.*, page 1 of the posted tentative rulings). Unless otherwise stated, appearances via CourtCall are no longer permitted.

Party Information

Debtor(s):

Robert E Read

Represented By
Donna R Dishbak

Trustee(s):

Kathy A Dockery (TR)

Pro Se

**United States Bankruptcy Court
Central District of California
Los Angeles
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Hearing Room 1545

8:30 AM

2:17-24084 Kip Scott Rolfe

Chapter 13

#8.00 Cont'd hrg re: Objection to Claim Number 11
by Claimant Internal Revenue Service
fr. 1/21/21, 2/18/21

Docket 74

***** VACATED *** REASON: Order approving cont'd hrg to 7/22/21 at
8:30 a.m. [dkt. 95]**

Tentative Ruling:

- NONE LISTED -

Party Information

Debtor(s):

Kip Scott Rolfe

Represented By
Thomas B Ure

Movant(s):

Kip Scott Rolfe

Represented By
Thomas B Ure

Trustee(s):

Kathy A Dockery (TR)

Pro Se

**United States Bankruptcy Court
Central District of California
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2:20-15577 Bela Janos Cseh

Chapter 13

#9.00 Cont'd hrg re: Objection to Claim Number 1 by Claimant Deutsche Bank National Trust Company, as Trustee for Morgan Stanley Dean Witter Capital I Inc. Trust 2002-AM3 Mortgage Pass-Through Certificates, Series 2002-AM3 fr. 11/19/20, 1/21/21, 3/18/21

Docket 31

Tentative Ruling:

Tentative Ruling for 4/22/21:

A continued hearing on this matter was previously set for 3/18/21, but was continued due to the parties' apparent settlement (see dkt. 42). The tentative ruling is to direct Debtor **no later than 4/29/21** either (a) to file a withdrawal of this claim objection or (b) to lodge a proposed order denying this objection to claim #1 without prejudice, pursuant to the parties' settlement reflected in the mediator's certificate (dkt. 42) and Debtor's subsequent proposed chapter 13 plan (dkt. 43 at PDF p.8). Appearances are not required.

If appearances are not required at the start of this tentative ruling but you wish to dispute the tentative ruling, or for further explanation of "appearances required/are not required," please see Judge Bason's Procedures (posted at www.cacb.uscourts.gov) then search for "tentative rulings." If appearances are required, and you fail to appear without adequately resolving this matter by consent, then you may waive your right to be heard on matters that are appropriate for disposition at this hearing. Pursuant to Judge Bason's COVID-19 procedures, **all appearances are via ZoomGov**. For ZoomGov instructions for all matters on calendar, please see the tentative ruling for the first matter on today's calendar (*i.e.*, page 1 of the posted tentative rulings). Unless otherwise stated, appearances via CourtCall are no longer permitted.

Tentative Ruling for 3/18/21:

Continue to 4/22/21 at 8:30 a.m. in view of the parties' settlement reported by the mediator (dkt. 42). The continuance is intended to provide the parties time to do whatever is needed to implement that settlement (*e.g.*,

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CONT... Bela Janos Cseh

Chapter 13

documenting their settlement, filing any amended proof of claim, and/or filing and serving any motion to approve a compromise, if one were to be required under Rule 9019, Fed. R. Bankr. P. - this Court expresses no view which of these acts, if any, might be required). Appearances are not required on 3/18/21.

Note: This Court anticipates that the continued hearing might well go off calendar if whatever the parties do moots this claim objection (or if Debtor files a withdrawal of this claim objection).

If appearances are not required at the start of this tentative ruling but you wish to dispute the tentative ruling, or for further explanation of "appearances required/are not required," please see Judge Bason's Procedures (posted at www.cacb.uscourts.gov) then search for "tentative rulings." If appearances are required, and you fail to appear without adequately resolving this matter by consent, then you may waive your right to be heard on matters that are appropriate for disposition at this hearing. Pursuant to Judge Bason's COVID-19 procedures, **all appearances are via ZoomGov**. For ZoomGov instructions for all matters on calendar, please see the tentative ruling for the first matter on today's calendar (*i.e.*, page 1 of the posted tentative rulings). Unless otherwise stated, appearances via CourtCall are no longer permitted.

[PRIOR TENTATIVE RULINGS OMITTED]

Party Information

Debtor(s):

Bela Janos Cseh

Represented By
Donna R Dishbak

Movant(s):

Bela Janos Cseh

Represented By
Donna R Dishbak
Donna R Dishbak

Trustee(s):

Kathy A Dockery (TR)

Pro Se

**United States Bankruptcy Court
Central District of California
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CONT...

Bela Janos Cseh

Chapter 13

**United States Bankruptcy Court
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8:30 AM

2:20-15627 Tonya Elaine Crawford

Chapter 13

#10.00 Cont'd hrg re: Motion to Avoid Lien Junior Lien
with Trojan Capital Investments, LLC
fr. 2/18/21

Docket 58

Tentative Ruling:

Tentative Ruling for 4/22/21:

Appearances are not required.

Grant as set forth below.

Proposed order: Movant is directed to lodge a proposed order via LOU within 7 days after the hearing date. See LBR 9021-1(b)(1)(B).

This Court continued the 2/18/21 hearing on this matter to give the junior lienholder an opportunity to obtain and file an appraisal of the subject property no later than April 8, 2021. As of the date this tentative ruling was prepared, this deadline has passed and no appraisal has been filed. Accordingly, the tentative ruling is to GRANT the motion.

If appearances are not required at the start of this tentative ruling but you wish to dispute the tentative ruling, or for further explanation of "appearances required/are not required," please see Judge Bason's Procedures (posted at www.cacb.uscourts.gov) then search for "tentative rulings." If appearances are required, and you fail to appear without adequately resolving this matter by consent, then you may waive your right to be heard on matters that are appropriate for disposition at this hearing. Pursuant to Judge Bason's COVID-19 procedures, **all appearances are via ZoomGov**. For ZoomGov instructions for all matters on calendar, please see the tentative ruling for the first matter on today's calendar (*i.e.*, page 1 of the posted tentative rulings). Unless otherwise stated, appearances via CourtCall are no longer permitted.

Tentative Ruling for 2/18/21:

Continue to 4/22/21 at 8:30 a.m. to address the following issues.

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CONT... Tonya Elaine Crawford

Chapter 13

Appearances are not required on 2/18/21.

Reason:

Appraisal; date of valuation. The junior lienholder has requested (dkt. 63) additional time to obtain an appraisal. Debtor is directed to provide reasonable access for that purpose. The junior lienholder is directed to file and serve the appraisal at least 14 days before the continued hearing. Note: Judge Bason's tentative ruling is to require valuations *at or near the petition date*. See *In re Gutierrez*, 503 B.R. 458 (Bankr. C.D. Cal. 2013).

At the continued hearing the parties should address how they propose to resolve their disputes - e.g., (i) with an evidentiary hearing; (ii) with a court ruling based solely on the written record (to save costs, if all parties consent), (iii) through mediation, or (iv) through appointment of an appraiser (jointly selected by the parties/their appraisers) as the court's own expert under FRE 706.

If appearances are not required at the start of this tentative ruling but you wish to dispute the tentative ruling, or for further explanation of "appearances required/are not required," please see Judge Bason's Procedures (posted at www.cacb.uscourts.gov) then search for "tentative rulings." If appearances are required, and you fail to appear without adequately resolving this matter by consent, then you may waive your right to be heard on matters that are appropriate for disposition at this hearing. Pursuant to Judge Bason's COVID-19 procedures, **all appearances are via ZoomGov**. For ZoomGov instructions for all matters on calendar, please see the tentative ruling for the first matter on today's calendar (i.e., page 1 of the posted tentative rulings). Unless otherwise stated, appearances via CourtCall are no longer permitted.

Party Information

Debtor(s):

Tonya Elaine Crawford

Represented By
Stephen S Smyth

Trustee(s):

Kathy A Dockery (TR)

Pro Se

**United States Bankruptcy Court
Central District of California
Los Angeles
Judge Neil Bason, Presiding
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Thursday, April 22, 2021

Hearing Room 1545

8:30 AM

2:20-16719 Diana Mitra Saidian

Chapter 13

#11.00 Cont'd hrg re: Objection to Claim No. 5-2 Filed by
Investment Management Company LLC
fr. 11/19/20, 12/17/20, 1/21/21, 3/18/21

Docket 53

Tentative Ruling:

Tentative Ruling for 4/22/21:
Appearances required.

This Court continued this matter to this date from the 3/18/21 hearing based on the representation of the parties that they have reached a settlement. As of the date this tentative ruling was prepared, no motion to approve the settlement has been filed. There is no tentative ruling, but the parties should be prepared to address what further steps they have taken to finalize the settlement.

If appearances are not required at the start of this tentative ruling but you wish to dispute the tentative ruling, or for further explanation of "appearances required/are not required," please see Judge Bason's Procedures (posted at www.cacb.uscourts.gov) then search for "tentative rulings." If appearances are required, and you fail to appear without adequately resolving this matter by consent, then you may waive your right to be heard on matters that are appropriate for disposition at this hearing. Pursuant to Judge Bason's COVID-19 procedures, **all appearances are via ZoomGov**. For ZoomGov instructions for all matters on calendar, please see the tentative ruling for the first matter on today's calendar (i.e., page 1 of the posted tentative rulings). Unless otherwise stated, appearances via CourtCall are no longer permitted.

[PRIOR TENTATIVE RULINGS OMITTED]

Party Information

Debtor(s):

Diana Mitra Saidian

Represented By

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CONT... Diana Mitra Saidian

Raymond H. Aver

Chapter 13

Trustee(s):

Kathy A Dockery (TR)

Represented By
Fari B Nejadpour

**United States Bankruptcy Court
Central District of California
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Thursday, April 22, 2021

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8:30 AM

2:20-18844 Graciela Gomez

Chapter 13

#12.00 Cont'd hrg re: Amended Motion in Individual Case
for Order Authorizing Use of Cash Collateral
fr. 12/17/20, 2/18/21, 3/18/21

Docket 32

Tentative Ruling:

Tentative Ruling for 4/22/21:

Appearances required.

This matter has been continued multiple times (since 12/17/20) for Debtor either to reach an agreement regarding the use of cash collateral or to refinance the debt owed to First Commerce, LLC ("First Commerce"). On 4/13/21, however, Debtor filed a proposed chapter 13 plan (dkt.48) that appears to have abandoned any refinancing, and proposes to pay First Commerce its arrears of \$69,519.35 (see POC 7-1, p.2, line 9) with 0% interest. Plan (dkt.48), p.6. Meanwhile, have the parties reached any agreement regarding the use of cash collateral?

If appearances are not required at the start of this tentative ruling but you wish to dispute the tentative ruling, or for further explanation of "appearances required/are not required," please see Judge Bason's Procedures (posted at www.cacb.uscourts.gov) then search for "tentative rulings." If appearances are required, and you fail to appear without adequately resolving this matter by consent, then you may waive your right to be heard on matters that are appropriate for disposition at this hearing. Pursuant to Judge Bason's COVID-19 procedures, **all appearances are via ZoomGov**. For ZoomGov instructions for all matters on calendar, please see the tentative ruling for the first matter on today's calendar (*i.e.*, page 1 of the posted tentative rulings). Unless otherwise stated, appearances via CourtCall are no longer permitted.

Tentative Ruling for 3/18/21:

Appearances required.

**United States Bankruptcy Court
Central District of California
Los Angeles
Judge Neil Bason, Presiding
Courtroom 1545 Calendar**

Thursday, April 22, 2021

Hearing Room 1545

8:30 AM

CONT... Graciela Gomez

Chapter 13

Based on the arguments and representations of the parties on 2/18/21, this Court continued the matter for Debtor to pursue a refinance of the property. There is no tentative ruling, but the parties should be prepared to provide an update on the status of any refinance.

If appearances are not required at the start of this tentative ruling but you wish to dispute the tentative ruling, or for further explanation of "appearances required/are not required," please see Judge Bason's Procedures (posted at www.cacb.uscourts.gov) then search for "tentative rulings." If appearances are required, and you fail to appear without adequately resolving this matter by consent, then you may waive your right to be heard on matters that are appropriate for disposition at this hearing. Pursuant to Judge Bason's COVID-19 procedures, **all appearances are via ZoomGov**. For ZoomGov instructions for all matters on calendar, please see the tentative ruling for the first matter on today's calendar (*i.e.*, page 1 of the posted tentative rulings). Unless otherwise stated, appearances via CourtCall are no longer permitted.

Tentative Ruling for 2/18/21:
Appearances required.

Based on the arguments and representations of the parties on 12/17/20, this Court continued the matter to this date to allow time for them to negotiate the terms of a cash collateral stipulation. But after the hearing Debtor filed a motion to refinance the subject property and pay off First Commerce, LLC's lien in full, which this Court granted. See dkt. 36, 39. There is no tentative ruling. The parties should be prepared to address (1) whether the refinance transaction did or did not close; (2) whether, if the refinancing did close, there is a need for retroactive approval of Debtor's use of First Commerce, LLC's cash collateral prior to its payoff or whether that issue is now moot; and (3) whether there is a need for this Court to authorize prospective use of the new lender's cash collateral.

If appearances are not required at the start of this tentative ruling but you wish to dispute the tentative ruling, or for further explanation of "appearances required/are not required," please see Judge Bason's Procedures (posted at www.cacb.uscourts.gov) then search for "tentative rulings." If appearances

**United States Bankruptcy Court
Central District of California
Los Angeles
Judge Neil Bason, Presiding
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Thursday, April 22, 2021

Hearing Room 1545

8:30 AM

CONT... Graciela Gomez

Chapter 13

are required, and you fail to appear without adequately resolving this matter by consent, then you may waive your right to be heard on matters that are appropriate for disposition at this hearing. Pursuant to Judge Bason's COVID-19 procedures, **all appearances are via ZoomGov**. For ZoomGov instructions for all matters on calendar, please see the tentative ruling for the first matter on today's calendar (*i.e.*, page 1 of the posted tentative rulings). Unless otherwise stated, appearances via CourtCall are no longer permitted.

Tentative Ruling for 12/17/20:
Appearances required.

There is no tentative ruling. The parties should be prepared to address the issues raised in the motion papers (dkt. 32) and the opposition papers (dkt.34).

If appearances are not required at the start of this tentative ruling but you wish to dispute the tentative ruling, or for further explanation of "appearances required/are not required," please see Judge Bason's Procedures (posted at www.cacb.uscourts.gov) then search for "tentative rulings." If appearances are required, and you fail to appear without adequately resolving this matter by consent, then you may waive your right to be heard on matters that are appropriate for disposition at this hearing. Pursuant to Judge Bason's COVID-19 procedures, **all appearances are via ZoomGov**. For ZoomGov instructions for all matters on calendar, please see the tentative ruling for the first matter on today's calendar (*i.e.*, page 1 of the posted tentative rulings). Unless otherwise stated, appearances via CourtCall are no longer permitted.

Party Information

Debtor(s):

Graciela Gomez

Represented By
Christine A Kingston

Trustee(s):

Kathy A Dockery (TR)

Pro Se

**United States Bankruptcy Court
Central District of California
Los Angeles
Judge Neil Bason, Presiding
Courtroom 1545 Calendar**

Thursday, April 22, 2021

Hearing Room 1545

8:30 AM

2:20-20239 Portia D. Austin

Chapter 13

#13.00 Cont'd hrg re: Motion to Avoid Lien Junior Lien on
Principal Residence with Argent Mortgage Company
fr. 12/17/20, 2/18/21, 3/18/21

Docket 14

***** VACATED *** REASON: Resolved by stipulation (dkt.32) and order
thereon.**

Tentative Ruling:

Party Information

Debtor(s):

Portia D. Austin

Represented By
David Samuel Shevitz

Trustee(s):

Kathy A Dockery (TR)

Pro Se

**United States Bankruptcy Court
Central District of California
Los Angeles
Judge Neil Bason, Presiding
Courtroom 1545 Calendar**

Thursday, April 22, 2021

Hearing Room 1545

9:30 AM

2:00-000000

Chapter

**#1.00 PLEASE BE ADVISED THAT THE CHAPTER 13 9:30 AM
CONFIRMATION CALENDAR CAN BE VIEWED ON THE
COURT'S WEBSITE (www.cacb.uscourts.gov) UNDER:
JUDGES>BASON, N.>CHAPTER 13>CONFIRMATION HEARINGS CALENDAR**

Docket 0

Tentative Ruling:

- NONE LISTED -

**United States Bankruptcy Court
Central District of California
Los Angeles
Judge Neil Bason, Presiding
Courtroom 1545 Calendar**

Thursday, April 22, 2021

Hearing Room 1545

11:00 AM

2:00-00000

Chapter

**#1.00 PLEASE BE ADVISED THAT THE CHAPTER 13 HEARINGS
at 11:00 AM CAN BE VIEWED ON THE COURT'S WEBSITE
(www.cacb.uscourts.gov) UNDER: JUDGES>BASON, N.>CHAPTER 13**

Docket 0

Tentative Ruling:

- NONE LISTED -